

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Basawapatna et al.  
Application No. : 10/675,415  
Filed : September 30, 2003  
For : VIDEO DISTRIBUTION SYSTEM FOR DIGITAL AND ANALOG  
SUBSCRIBERS

Examiner : Salce, Jason P.  
Art Unit : 2421  
Docket No. : 119691-163499  
Date : February 9, 2010

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents:

The Examiner provided a Statement of Reasons for Allowance on pages 2-3 of the Notice of Allowance mailed November 17, 2009.

It is first noted herein for the record that to the extent that there may be differences between the language used by the Examiner in the Statement to explain allowability, versus the actual language recited in the claims, it is the actual language recited in the claims that determines the scopes thereof.

It is further noted herein for the record that the claims recite other features that are distinct, alternatively or additionally to those specifically identified by the Examiner in the Statement.

It is still further noted herein for the record that the dependent claims are allowable by virtue of their dependence upon allowable base claims and also by virtue of the recitations contained in such dependent claims.

However, Applicant takes no position regarding the Reasons for Allowance presented by the Examiner other than the positions Applicant may have previously taken during prosecution. Therefore, the contents of the Statement should not be attributed to Applicant as an indication of the basis for Applicant's belief that the claims are patentable. Furthermore, Applicant respectfully asserts that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record and Applicant does not waive its rights to such arguments by not further addressing such reasons herein.

In view of at least the above, the scope of the claims is not to be limited by the Statement.

Respectfully submitted,  
Schwabe, Williamson & Wyatt

/Linda S. Zachariah/  
Linda S. Zachariah  
Registration No. 48,057

LSZ:

1420 Fifth Avenue, Suite 3010  
Seattle, Washington 98101  
Phone: (206) 407-1561  
Fax: (206) 292-0460

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